



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

CHARLES A. BYRNE

Serial No. 10/701,052

Filed: November 3, 2003

For: IMPROVED METHOD FOR  
MANUFACTURING ANIMAL  
CHEW TOY

Group Art Unit: 1732

Examiner: Stefan Staicovici

Docket No. MAMMO-44436

DECLARATION OF CHARLES A. BYRNE  
UNDER 37 CFR 1.131

I, Charles A. Byrne, declare that:

1. I am the sole inventor of the subject matter of the above-identified application, which claims priority from U.S. Patent Application Serial No. 10/414,630, filed April 15, 2003, which claims priority from U.S. Provisional Application Serial No. 60/372,849, filed April 16, 2002.
2. I am the President of CB Worldwide, Inc. (hereinafter referred to as "CB"), the assignee of the above-identified application.

3. I have worked in the field of pet toys for over 20 years. A copy of my Curriculum Vitae is attached as Exhibit A.

4. My review of drawings, documents and other materials documenting my conception and reduction to practice of the subject matter of the present application evidences that I invented my method for manufacturing and an animal chew toy prior to the January 31, 2002 filing date for U.S. Patent No. 6,672,252 to Levin et al.

5. Between 1995 and 1998, while developing and marketing dog chew toys, I discovered that rubber with nylon embedded in the rubber had beneficial qualities for a dog chew toy. During this time I had considered actual tires and various shapes for dog chew toys using similar material but was not aware of a manufacturing process to produce such products at the time.

6. Between late 1998 and 1999, after considering a small car tire for dogs and bone shapes made from knotted strips of tire sidewalls, I determined that, at the time, these products had manufacturing constraints.

7. Around September 2000, I was presented with a small lawn mower tire as a dog toy. I investigated this item but found there were several problems: dogs were able to easily tear apart the rubber, the lawn mower tire was too heavy, and dogs didn't like the solid rubber. However, this revitalized my interest in pursuing tire-shaped toys for dogs.

8. During this same time, around September 2000, while at a hardware store, I discovered small 10" pneumatic tires with metal rim that were used for

trailers, hand trucks and wheel barrows. I purchased this item and removed the metal rim and tested it with dogs. The dogs liked this item. I thought this was a desirable item and decided to pursue improving this type of molded product for use as dog chew toy.

9. Between September 2000 and January 2001, I started investigating small pneumatic tires from various suppliers - Northern Tools catalog, GBC tire sales, Carlisle Tire. While at Do-It Center, I found an 8" diameter size hand truck tire and thought that smaller sizes under 10" would be desirable. (See 1/06/01 Do-It Center and 1/8/01 Northern Tool proof of purchases attached hereto as Exhibits B and C.) I found that purchasing tires though U.S. sources would be too expensive for a tire dog chew product to get to market since it would be too expensive at retail.

10. I also discovered during this period that the small pneumatic tires had one major problem – they had a metal wire bead that when the dogs chewed into this section of the tire the metal bead could hurt the dog's mouth. I therefore concluded that the tires should not have a metal wire bead. Because of the U.S. tire cost and the desire for a custom tire, I started investigating foreign sources of small tires.

11. I discovered that Chinese hand truck and wheel barrow manufacturers also made small tires, 10" diameter or less. I started contacting several Chinese tire factories in January 2001.

12. Although several Chinese factories provided me an acceptable cost quotation to supply their existing pneumatic tires, all of these tires included embedded metal beads or wires. The vast majority of the small tire manufacturers indicated that it would not be possible to eliminate or replace the metal beads or wires.

13. At my home in the United States, I investigated several methods to eliminate the wire metal bead. I conceived of the idea that the metal bead should be replaced by a synthetic bead made from nylon. I purchased synthetic nylon, polyethylene, polypropylene rod, screen, wire, and cords from United States Plastic Corp. and my local Do It Center™ local hardware store to develop bead options.

14. I contacted two Chinese factories to inquire whether they could manufacture a dog chew toy in a tire shape between six and ten inches in diameter without a metal bead, and instead with a hard nylon plastic bead. Eddie Yung of Huatian Hand Truck responded to my January 20, 2001 e-mail message wherein I asked if he could produce a tire in that size without a metal bead. At first, he was confused and thought that I was referring to an inner metal portion of the tire. In my February 1, 2001 e-mail message to him, I was more specific and asked him if he could replace the metal bead with a plastic nylon ring. In his February 5, 2001 e-mail message to me, he responded by indicating that they could not manufacture their tire without the metal bead nor

replace it with a hard plastic bead as they did not have the technology. (See Exhibit D)

15. On February 10, 2001 (as shown in Exhibit E), I contacted Chen Zhaofeng of Xing Ming to inquire whether he could make the tires without the metal bead, and instead replace the metal bead with a hard nylon plastic bead. In his February 11, 2001 response to me, he indicated that they could replace the metal bead with a hard nylon plastic bead, although this would increase their production costs. On February 12, 2001, Mr. Zhaofeng indicated to me that they attempted to make the tire without the metal bead, but it was not any good without the metal bead. He asked me for my advice to incorporate the nylon bead or samples of tires with nylon beads and nylon wire in place of the metal beads and wires. (See Exhibit E)

16. I wanted the animal chew toy to have the appearance and characteristics of a small pneumatic tire. Thus, rubber material, comprising natural or synthetic rubber, was mixed with carbon black to create a tire rubber material. However, the Xing Ming company could not determine how to replace the metal beads and wires with nylon or other synthetic materials. At the beginning of March 2001, I requested the factory to send me samples of wire metal beads and two-ply nylon so that I could examine them. At my home in the United States, I made prototypes of a nylon circle using the material the factory provided. Exhibit F illustrates the material the factory provided, and the

prototypes which I made. While creating these prototypes, I realized that this material could be used in other pet products, such as bone shapes.

17. I experienced difficulties communicating with the Chinese factory, so at the end of April 2001, I contacted Mr. Zhaofeng and arranged to visit his factory in China in May of 2001. My facsimiled letter to Mr. Zhaofeng (Exhibit G), also indicates that as this device was a dog toy, it must be non-toxic to dogs.

18. I took a prototype of a nylon fiber string bead, along with other types of plastic bead possibilities I had created, along with me on the trip to China. During my visit at the Xing Ming factory, I asked the factory to try using my nylon bead prototypes. I also provided suggestions on how the tire dog chew toy could be made to incorporate such nylon beads.

19. After my return to the United States, on May 21, 2001, I sent Mr. Zhaofeng a facsimiled letter summarizing our discussions while I was at the factory. As shown in Exhibit H, the facsimiled letter stated "Thank you for cooperating with me on this project. I understand that this is a new type of manufacturing and will take some time to perfect".

20. The Xing Ming factory created molds for my tire dog chew toy, which included my trademarks and other desired information, as well as a "paw print" tread design, instead of the normal tire tread, as shown in Exhibit I. However, the Xing Ming factory was still not able to produce a satisfactory tire replacing the metal bead. Thus, at the San Diego Convention Center at the

American Pet Product Manufacturing Association (APPMA) trade show in June of 2001, I exhibited the tire chew toy with the exterior look that I desired, but containing metal wire beads.

21. On August 6, 2001, I sent an e-mail message to Mr. Zhaofeng asking if his factory had ever replaced the metal bead with the hard plastic nylon bead as I had instructed. In this e-mail message (Exhibit J), I suggested that the ends of the nylon bead wire be welded so that the bead ring would not come apart, as well as increasing the rubber around the bead section. In an August 10, 2001 e-mail message (Exhibit J), Mr. Zhaofeng informed me that they had tried the nylon bead but had found it impossible to produce.

22. I again contacted Eddie Yung of Huatian Factory and sent him samples of my synthetic beads, including rough prototypes of my nylon bead, and inquired whether they would be able to manufacture tire pet chew toys replacing the wire metal beads of the tires with my nylon beads and synthetic materials. As shown in Exhibit K, I entered into a Non-Disclosure Agreement with the Huatian Hand Truck Company so that they could produce the small tire pet toy product without metal bead, per my invention.

23. I visited the Huatian Hand Truck Company between August 25, 2001 and September 25, 2001. In August of 2001, as shown in Exhibit L, the Huatian factory produced a small pneumatic tire, replacing the metal bead and instead using my nylon bead, per my instructions. The steps for creating the animal chew toy having a tire configuration are illustrated in Exhibit M and

comprise embedding the nylon between sheets of rubber to eliminate the metal wire.

24. As shown in Exhibit N, on September 11, 2001, Eddie Yung of the Huatian Hand Truck Company confirmed the details of the tire dog chew toy to be made for my company. In my September 12, 2001 response message to him (Exhibit N), I acknowledged my visit with Mr. Yung and the factory workers and confirmed the particulars of the dog chew toy. Between September and November of 2001, Mr. Yung and I exchanged various correspondences regarding the possibility of creating the tire chew toys in different sizes, as well as creating other chew toy configurations using the process of embedding the synthetic nylon fibers within the rubber material, and particularly between two sheets of rubber material. My October 19, 2001 e-mail message to Mr. Yung shows that I was asking whether current tire technology could be used to make different designs, such as a bone design, ball design, square design. In his October 19, 2001 response to me, he indicated that the current tire making technology could be used to make different designs, and that they could make any shape according to my samples, as shown in Exhibit O. However, I later determined that Mr. Yung had misunderstood me and was offering to make other toy configurations of pure rubber without any nylon wires or mesh material.

25. The original tire dog chew toy was ten inches in diameter. In the last few months of 2001, the Huatian Hand Truck Company was able to produce eight inch and six inch diameter tires utilizing the nylon synthetic fibers and

beads instead of the metal beads. Also during this time, I developed additional pet rubber products with two ply and four ply nylon and developed various shapes, including bones, flyers, retrievers, etc. These were made by sandwiching rubber with nylon fibers between the two sheets of rubber without any nylon fibers and creating the desired shape, as shown in Exhibit P.

26. I filed my U.S. provisional application Serial No. 60/372,849 on April 16, 2002. Shortly thereafter, I introduced these products to retail, which have been a huge success.

27. The undersigned declares that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such false statements may jeopardize the validity of the application or any registration resulting thereon.

Dated: March 27, 2006

  
Charles A. Byrne

Attachments:  
Exhibits A-P



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## Charles A. Byrne - Curriculum Vitae

1983 - 1993

Worked for Booda Products manufacturer of pet products - cat litter boxes, cat toys, cat furniture, dog toys, and dog treats. I was VP Operations, Export Sales & Research and development. Developed over 100 pet products for Booda Products. Developed several patented products under the Booda label. Booda Products was sold to Aspen Pet products in 1996.

1993- Present.

Started CB worldwide Inc dba Mammoth Pet Products. Currently president. Developed and manufactures over 300 pet products namely Flossy Chews cotton rope toys, TireBiter rubber chew toys, Tennis Chew tennis ball products, and X-Mat training mats. Holds several US patents for Tirebiter and X-Mat products.



CUSTOMER HELP   TRACK MY ORDER   SHOPPING

**Check Out**

Quick Search

Keyword **SEARCH****HOME****ONLINE CATALOG****RED HOT DEALS****FREE CATALOG****ABOUT US****ORDER LINE  
800-221-0516**

Thank You for Shopping NorthernTool.com!

Congratulations on your quality purchase from Northern. You should be receiving your order in just a few days. **Please write down your Order Confirmation Number or print this page.** This will provide you a record for future service needs.

**Order Summary**

Order Confirmation Number: 304422

Item #	Description	Status	Wt	Price	Qty	Total
13440	Lawn and Garden Tractor Tubeless Replacement Turf Tire	In Stock	6	\$9.99	1	\$9.99
13431	10in. Knobby Tire on Wheel	In Stock	4	\$7.99	2	\$15.98
1398	Replacement Tubeless Tire for Pneumatic Assemblies	In Stock	3	\$8.99	1	\$8.99

Total Weight (Pounds): 17

Subtotal: \$34.96

Estimated<sup>1</sup> Sales Tax: \$0.00Shipping<sup>2</sup> Charges: \$13.82**Grand Total: \$48.78**<sup>1</sup> If you have registered with us as a tax-exempt customer, sales tax will be adjusted lower when your order is processed.<sup>2</sup> Shipping times reflect the time the order will take to ship once it leaves the warehouse. Shipping charges are subject to change.**Billing Address**

Charles Byme  
 CB Worldwide Inc  
 94 Berner Street  
 Mammoth Lakes CA 93546  
 Daytime Telephone: 760 934 8677  
 email: cbdynamo@aol.com

**Shipping Address**

Same as billing address.

Please consider subscribing to Northern's personalized email deals. Once again, we thank you for your order!

**Logout****RETURN HOME****SEARCH US**

Subj: Re: Happy holiday  
Date: 1/19/2001 6:51:26 PM Pacific Standard Time  
From: eddie@public.qd.sd.cn (eddie yung)  
To: CBDynamo@aol.com

DHL 8001225-5345  
#3

Dear Charles,

Our 10" tire can't be used without inner tube, it is not what you want. We have 5", 6", 8" tire without inner tube, without metal, I send you a sample of 10" tire and 5" tire with two catalogs to you by DHL, airway bill #2747138240. I pay the money of air freight this time.

At present, I can only quote you price of black rubber as follows:

5" black tire FOB \$0.26  
7" black tire FOB \$0.62  
9" black tire FOB \$0.95

- 10" sample send  
- 5" - 8" 5 pieces  
- no metal, thick wall,  
- color, no odor, clean

we can manufacture other colors, their price will be higher, our producing department will quote price later.

Regards,  
Eddie

— Original Message —

From: <CBDynamo@aol.com>  
To: <eddieyung16@hotmail.com>  
Sent: Saturday, January 20, 2001 1:49 AM  
Subject: Re: Happy holiday

> Dear Eddie:

>  
> The tire is to be used for a special purpose. No inner tube needed. The  
> tire is not going to be used for a car, motorcycle, or bicycle.  
>  
> I think I have given you enough information to quote tire. I understand that  
> a final price will depend on final specifications.  
>  
> Specs are as follows:  
>  
> Rubber Colors: - Black, Red, Blue, Yellow, green  
>  
> Material - Non Toxic and does not smell/no odor  
>  
> Outside Diameters - 5" , 7" and 9"  
>  
> Other Specifications - No metal in tire. No Metal Bead  
>  
> Quotation Quantities: - projected order volume 5,000, 10,000, 25,000 per  
> month  
>  
> I can design the tire based on your factories capabilities.  
>  
> To start maybe we can use your 10" diameter tire. Can you make this tire  
> without any metal in tire? Custom logo and custom color?  
>  
> Also very important is that you sell this custom tire item to my company

> exclusively. Hopefully this is not a problem. Again this tire is not for  
> the automotive industry and is going to be used for a new application. What  
> other kinds of tires do you produce? Please send catalog.

>  
> Please send 3 of your 10" diameter tires ASAP best way. Please produce a  
> sample using a custom color blue, red, or green, yellow. No-metal bead.  
> Nontoxic. EMS is the best or ship freight collect UPS my account # is X14  
> 62W.

>  
> Please confirm and advise how long to make samples.

>  
> Regards,  
> Charles A. Byme  
> President

>  
> CB Worldwide Inc  
> PO Box 1645  
> Mammoth Lakes, CA 93546  
> tel. (760)934-8677  
> Fax (760) 934-9985  
>

---

Headers

Return-Path: <eddie@public.qd.sd.cn>  
Received: from rly-ye03.mx.aol.com (rly-ye03.mail.aol.com [172.18.151.200]) by air-ye03.mail.aol.com (v77.35) with ESMTP;  
Fri, 19 Jan 2001 21:51:26 -0500  
Received: from qd\_mail3.sd.cninfo.net ([61.156.13.71]) by rly-ye03.mx.aol.com (v77.27) with ESMTP; Fri, 19 Jan 2001  
21:50:49 -0500  
Received: from oemcomputer ([61.156.99.23]) by qd\_mail3.sd.cninfo.net  
with SMTP id <20010120024709.FUZS6774.qd\_mail3@oemcomputer>  
for <CBDynamo@aol.com>; Sat, 20 Jan 2001 10:47:09 +0800  
Message-ID: <004001c0828b\$7f7df4c0\$17639c3d@oemcomputer>  
From: "eddie yung" <eddie@public.qd.sd.cn>  
To: <CBDynamo@aol.com>  
References: <3d.648645f.2799d81c@aol.com>  
Subject: Re: Happy holiday  
Date: Sat, 20 Jan 2001 10:48:40 +0800  
MIME-Version: 1.0  
Content-Type: text/plain;  
charset="iso-8859-1"  
Content-Transfer-Encoding: base64  
X-Priority: 3  
X-MSMail-Priority: Normal  
X-Mailer: Microsoft Outlook Express 5.00.2615.200  
X-MimeOLE: Produced By Microsoft MimeOLE V5.00.2615.200

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Subj: Re: Zhenhua  
Date: 1/31/2001 12:19:24 AM Pacific Standard Time  
From: eddieyung16@hotmail.com (eddie yung)  
To: CBDynamo@aol.com

Dear Charles,

We can meet all your conditions:

1. Colors Red Green Yellow Black
2. No metal bead
3. 30% Thicker Stronger Rubber - Strong Nylon ply
4. Custom Tread Design - Logo
5. Produce on exclusive basis.

Price is: 10" tire FOB Qingdao \$2.15, 7" tire FOB Qingdao \$2.00.

There is one thing I have to confirm with you. You want " No metal bead", Do you mean that you don't want the steel wire around the tire inside circyle?

Regards,  
Eddie

— Original Message —

From: <CBDynamo@aol.com>  
To: <eddie@public.qd.sd.cn>  
Sent: Wednesday, January 31, 2001 8:52 AM  
Subject: Zhenhua

> Hi Eddie:  
>  
> I hope you had a nice holiday.  
>  
> I received the tires in good order.  
>  
> The Zhenhua 10" tire is similar to the custom design I want to buy. Please  
> quote with the following conditions:  
>  
> 1. Colors Red Green Yellow Black  
> 2. No metal bead  
> 3. 30% Thicker Stronger Rubber - Strong Nylon ply  
> 4. Custom Tread Design - Logo  
> 5. Produce on exclusive basis.  
>  
> I am prepared to place a order for a 7" and 10" diameter tires. Please let  
> me know if you can do this so I can proceed accordingly.  
>  
> Looking forward to a long term relationship with your company.  
>  
> Regards,  
> Charles Byrne  
>  
>

Subj: Re: Zhenhua  
Date: 1/31/2001 11:08:55 PM Pacific Standard Time  
From: eddieyung16@hotmail.com (eddie yung)  
To: CBDynamo@aol.com

Charles,

We have the 10" tire holding air and be hollow inside, the tire is semi-pneumatic. It doesn't have metal in the inside circle area. Your price is too low to accept. I don't know why your price is so much lower than our price.

color tire: 10" tire FOB Qingdao \$2.15, 7" tire FOB Qingdao \$2.00  
black tire: 10" tire FOB Qingdao \$1.72, 7" tire FOB Qingdao \$1.60.

Timing  
25 days to make custom design and 20 days to ship first container after you confirming the sample

Exclusivity  
We will sign the non-disclosure agreement prior to proceeding.

Regards,  
Eddie

— Original Message —

From: <CBDynamo@aol.com>  
To: <eddieyung16@hotmail.com>  
Sent: Thursday, February 01, 2001 10:24 AM  
Subject: Re: Zhenhua

> Hi Eddie:  
>  
> Thank for your message.  
>  
> Metal Bead area  
> Yes, I do not want any metal in the inside circle area. Can you replace the  
> metal bead with a plastic nylon ring? Or another option is to close off the  
> inner ring area so that there is continuos rubber with 2 ply nylon. The tire  
> would then hold air and be hollow inside. Please confirm you understand.  
>  
> Pricing  
> I would like two sizes. Preferably 10" and 7". My target prices FOB are:  
>  
> Small 7" - \$1.25  
> Large 10" - \$1.50  
>  
> At this price I can sell high volume. Please let me know if this is  
> possible. Please quote both black and colored.  
>  
> Timing  
> How long will it take to make custom design and ship first container?  
>  
> Exclusivity  
> Please confirm that your company can produce this custom design on exclusive  
> basis. It is better that we work this way. I will also require that you  
> sign a non-disclosure agreement prior to proceeding.  
>

Subj: Re: small tires  
Date: 2/5/2001 7:20:57 PM Pacific Standard Time  
From: eddie@public.qd.sd.cn (eddie yung)  
To: CBDynamo@aol.com

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Charles,

We can't manufacture Zhenhua style tire without metal bead. We can't replace with hard plastic bead. We don't have the technology. What we can do is only to make color tire. Price is:

10" black tire with metal bead: FOB\$1.44  
10" color tire with metal bead: FOB\$1.80  
8" black tire with metal bead: FOB\$1.34  
8" color tire with metal bead: FOB\$1.68.

*Freight*      *Duty*      *Label*  
.13      .08      = .20

cost to make samples in colors for the 8" - 10" tire is \$1300.

Regards,

Eddie

— Original Message —

From: <CBDynamo@aol.com>  
To: <eddie@public.qd.sd.cn>  
Sent: Sunday, February 04, 2001 1:47 AM  
Subject: Re: small tires

> Hi Eddie:  
>  
> Thanks for your message.  
>  
> Is it possible to make the Zhenhua style tire without metal bead when we  
> order in container quantities? Can you replace the metal bead with a hard  
> plastic bead. What are the prices for the 8" and 10" Zhenhua style tire in  
> Black and Colors? What is the cost to make samples in colors for the 8" -  
> 10" tire. I would like to see colored tires before proceeding.  
>  
> I would like to get started on this project ASAP.  
>  
> Hope you are well.  
>  
> Regards,  
> Charles Byrne  
>

— Headers —

Return-Path: <eddie@public.qd.sd.cn>  
Received: from rly-yd03.mx.aol.com (rly-yd03.mail.aol.com [172.18.150.3]) by air-yd02.mail.aol.com (v77\_r1.21) with ESMTP;  
Mon, 05 Feb 2001 22:20:57 -0500  
Received: from qd\_mail2.sd.cninfo.net ([61.156.13.69]) by rly-yd03.mx.aol.com (v77.27) with ESMTP; Mon, 05 Feb 2001  
22:20:34 -0500  
Received: from OEMCOMPUTER ([61.156.98.146]) by qd\_mail2.sd.cninfo.net  
with SMTP id <20010206030042.IEZX17550.qd\_mail2@oemcomputer>  
for <CBDynamo@aol.com>; Tue, 6 Feb 2001 11:00:42 +0800

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Subj: Re: small tires  
Date: 2/11/2001 12:05:27 AM Pacific Standard Time  
From: zhfchen@21cn.com (Chen Zhaofeng)  
Reply-to: zhfchen@21cn.com  
To: CBDynamo@aol.com (CBDynamo@aol.com)

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Dear Mr. Byrne

Thanks for your message and tell you I have send sample to you by DHL, but the telephone I written in the DHL was (760)9344439 that you gave me early, is that right or not? I send you 4 sets sample as the picture I given you, 2 sets PR1400 tire and tube, 2 sets PR1800 tire and tube. The samples is for your reference.

The mainly artwork in the tire was made as customer required, as the sample is our common design. Give the customer sample we will make the mold. The mold will be made in twenty days.

Regarding the metal bead, we can replace the metal bead with hard nylon plastic bead, but this maybe increase the cost of products.

About the price of colorful tire the price will be USD1.40 one set for 8" and USD1.90 one set for 10", if make it we will prepare the different material from the black and there will be many waster in the first products. Give me the detail of your products, I will make the correct price.

I want to start the business soon too.

After receiving the sample please inform me the advice of yours.

With the best regards,  
Chen Zhaofeng  
zhfchen@21cn.com

- 01-2-10 17:08:00 CBDynamo wrote<sup>o</sup>

>Hi Chen:

>

>Please confirm that samples of small tires have been sent. Also please  
>confirm prices of tires in colors - Red, Green, yellow. Can you send some  
>rubber samples in colors so I can select a color.

>

>Also please confirm that you can make tires without metal bead. Can you  
>replace the metal bead with a hard nylon plastic bead?

>

>What artwork do you need to make custom logo and tread design?

>

>I would like to get started on this project soon.

>

>Regards,

>Charles A. Byrne

>President

>

>CB Worldwide Inc

>PO Box 1645

>Mammoth Lakes, CA 93546

>tel. (760)934-8677

>Fax (760) 934-9985

Subj: Re: small tires  
Date: 2/12/2001 1:14:27 AM Pacific Standard Time  
From: zhfchen@21cn.com (Chen Zhaofeng)  
Reply-to: zhfchen@21cn.com  
To: CBDynamo@aol.com (CBDynamo@aol.com)

BEST AVAILABLE COPY

Dear Mr. Charles

The No. of DHL bill is 211 1800 154.  
We have made the tire with nylon bead but it is not good with the metal bead.  
Can you give me some advice for the nylon bead or give me some sample of tire  
with nylon bead and the nylon wire. Now the shape of tire with nylon bead is  
not as good as the metal. I also want to know the use of the small tire, for toy  
or not?

The price of tire for colorful maybe USD 1.00 for 2.50-4 and USD 1.50 for  
3.50-4. If the quantity is large it will be decline.

With the best regards,

Chen Zhaofeng  
zhfchen@21cn.com

- 01-2-11 14:38:00 CBDynamo wrote

>Hi Chen:  
>  
>Thanks for message.  
>  
>Yes, the phone number 760-934-4439 is OK for DHL. Please advise tracking  
>number so I can track on my end.  
>  
>I will be using both black and colored small tires. No inner tube needed.  
>Please quote in Black and colors without inner tube. Quote using the nylon  
>bead instead of metal.  
>  
>Is it possible to make a sample with the nylon bead in a color? I would like  
>to see sample before proceeding. Once I have sample without metal bead in a  
>color I will be ready to get started.  
>  
>Hope you are well.  
>  
>Regards,  
>Charles

1512  
SP 1502  
1104

Headers

Return-Path: <zhfchen@21cn.com>  
Received: from rly-xb04.mx.aol.com (rly-xb04.mail.aol.com [172.20.105.105]) by air-xb02.mail.aol.com (v77\_r1.21) with  
ESMTP; Mon, 12 Feb 2001 04:14:27 -0500  
Received: from 21cn.com ([202.104.32.249]) by rly-xb04.mx.aol.com (v77\_r1.21) with ESMTP; Mon, 12 Feb 2001 04:14:05 -

## CB Worldwide Inc.

PO Box 1645, 94 Berner St. Unit B  
Mammoth Lakes, CA 93546 USA  
Tel. (760) 934-8677 Fax (760) 934-9985  
Email [cbdynamo@aol.com](mailto:cbdynamo@aol.com)

To: Chen Zhaofeng, Qingdao Metal      From: \_\_\_\_\_  
Fax: \_\_\_\_\_      Pages: 4  
Phone: \_\_\_\_\_      Date: April 30, 2001  
Rec: \_\_\_\_\_      CC: \_\_\_\_\_

Dear Chen:

I hope you returned safely from your trip.

### TireBiter artwork design

The artwork is finished for the 3.5-4 tire. Faxed are copies. I can email your JPEG and Adobe Illustrator files. Is your email working? The Adobe Illustrator is very large so I would need to put it on my FTP site. Please confirm that 3.5-4 artwork is acceptable and molds can be made to match artwork. I can finish artwork for the 2.5-4 tire this week.

### Metal Display Rack

Can you make a metal display rack for the small tires?

### SGS Testing

Since this is a dog toy it must be non-toxic for dogs. We will need a SGS non-toxic test performed on finished product. Does SGS have an office in Qingdao?

### Qingdao Visit

I plan to arrive on Sunday May 12<sup>th</sup>. I understand that Qingdao has a very nice beach area and central district. Are there any hotels close to the beach that you would suggest? How far is the Central District from your factory? If it is too far and inconvenient then I can stay closer to Yinzhu Town.

Hope you are well. Is your email working?

Regards,



Charles Byrne

**CB Worldwide Inc.**

PO Box 1645, 94 Berner St. Unit B  
Mammoth Lakes, CA 93546 USA  
Tel. (760) 934-8677 Fax (760) 934-9985  
Email [cbdynamo@aol.com](mailto:cbdynamo@aol.com)

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To: Chen Zhoa Feng, MingXing Metal From:

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Fax: Pages:

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Phone: Date: May 21, 2001

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Rec: CC:

Hi Chen:

Just returned home. Thanks so much for all the hospitality while Qingdoa.

**Rubber Issues**

The colored tires are turning black in the sun and oxidizing. I believe we need to add a Ultraviolet light and oxidization stabilizers. This should help with keeping the rubber looking good. Please advise.

**Samples**

Need five (5)samples each:

All bright Red

All bright Yellow

All Green

All Black

Black side and Red tread

Black side and Yellow tread

Yellow and Red

\* samples rubber should be clean, no black marks, no turning black in sun, no white from oxidizing.

Can you ship new samples with improved rubber this week via UPS air express?

Also is it possible to change the paw designs?

**Hand Truck Equipment**

Please send pricing for your hand truck line. I can offer these items to my current customer base. Most pet shops use hand trucks and material handling equipment.

Thank you for cooperating with me on this project. I understand that this is a new type of manufacturing and will take some time to perfect. Please have a rubber specialist help you with improving the rubber composition. As we discussed we must introduce the best high quality product possible so we have a successful high volume item.

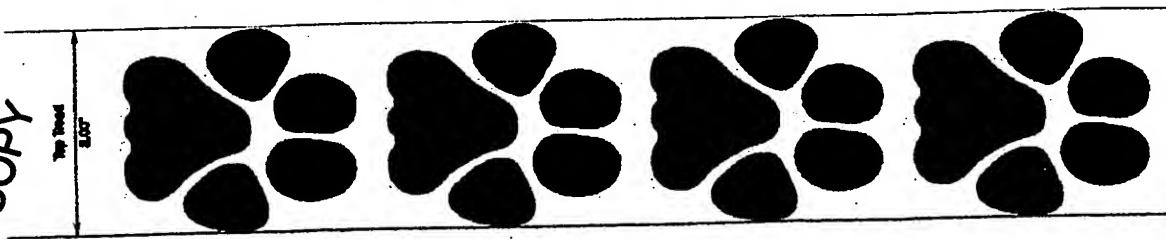
Please give my regards to Mr. Lu and the rest of the Mingxing team.

Regards,  
Charles A. Byme  
President

\* Did you receive my email?

June 01

BEST AVAILABLE COPY



June 01

BEST AVAILABLE COPY

300 dpi  
3000



*Urgent*

*\$1000.00*

Page 1 of 1

Subj: Re: Bead Problem  
Date: 8/6/2001  
To: zhfchen@21cn.com

Dear Chen:

Thanks for your message.

I am sorry to hear about the bad weather. Hopefully things are better.

Metal Bead

Yes, please discuss with Mr. Lu about the metal bead problem and material composition.

1. Can we replace the metal bead with a hard plastic nylon bead? Did you ever try this?
2. Weld the ends of the bead wire so the bead ring will not come apart. This seems easy to weld the metal wire.
3. Increase rubber around the bead section.

What does Mr. Lu think we can do? These is a serious problem which must be solved in order to proceed.

Toxicity

We will be tested the paint, rubber, and metal bead for toxicity. Please advise material composition.

Visit

I will be in China in later this month. I would like to visit you at the factory on September 3-4th. Please confirm that you and Mr. Lu will be available.

Orders

Once we solve the metal bead problem and confirm non-toxicity we can proceed. I will be able to take 1-3 containers. This will be a high volume product.

Hope you are well.

Regards,  
Charles

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Dear Mr.Charles

I have replied you by fax for some times maybe there were some problem with our e-mail  
I have faxed you the invitation last. Please check.

Then I fax you my last two e-mail message.

DATE: AUG. 7, 2001

Dear Mr.Charles.

Thanks for your email.

I will use another soft metal bead and weld the end,  
we have try many time with nylon bead but the the products  
is not satisfied.

As the red tire it has no good ways to solve better, we have  
get the color tire from the mold factory, it is also turned  
black under the sun. We will try it if we have new program.

Welcome you come again and I have faxed you the invitation letter.

With the best regards,

Chen Zhao Feng  
zhfchen@21cn.com

DATE: AUG.10,2001

Dear Mr. Charles,

I have told Mr. Lu since I receive your message. I have sent you e-mail  
and tell you the advice. We will use soft steel with weld end with no toxicity

We have tried with nylon bead, and find it is impossible. Now I give you  
the specifications of bead. The whole diameter will be 104mm and the diameter  
of the thread will be 3.2mm the plastic bead will not be turn soft in 190 cent grade.

With the best regards,

Chen Zhao Feng  
zhfchen@21cn.com

18/8/01

,125"

375

.03937

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**NON-DISCLOSURE AGREEMENT**

THIS AGREEMENT is entered into between CB Worldwide Inc/MPP ("Proprietor") and Qingdao Huatian Hand Truck Co. Ltd ("Disclosee") on this 18 day of August, 2001.

1. Proprietor has developed certain techniques and material described below which are valuable and confidential intellectual property of Proprietor. The material which is subject to this Agreement is described as:

Small Tire Toy Product with no metal head

and is hereafter referred to as the "Confidential Information".

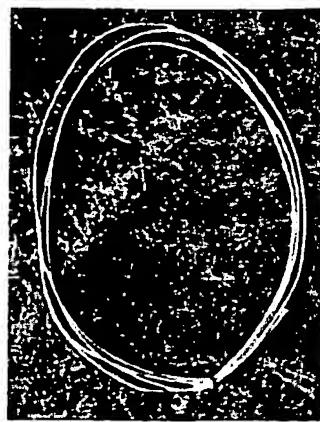
2. Proprietor and Disclosee wish to enter into discussions and negotiations and therefore the Confidential Information will be disclosed in detail by Proprietor to Disclosee. It is acknowledged by Disclosee that the information being supplied by Proprietor represents valuable intellectual property rights of Proprietor including, but not limited to, trade secrets, copyrights and patents. The information and material whether written or oral being supplied to Disclosee is confidential in nature and this agreement forms a confidential relationship.

3. Therefore, Disclosee agrees to keep confidential any information or material it may acquire through the disclosure being made by Proprietor whether that disclosure is in writing or oral. Disclosee agrees to take appropriate steps to protect against disclosure of any material or information of Proprietor to third parties as well as against disclosure to its own employees who do not have a need to know the material disclosed by the Proprietor. Disclosee further agrees to not employ any material disclosed or information or techniques learned through such disclosure except by specific permission of Proprietor through appropriate licensing agreements. Disclosee agrees to not make copies of materials supplied by Proprietor which are part of this subject matter, except by specific permission of Proprietor.

4. Disclosee acknowledges that should Proprietor supply copies of any subject matter materials to Disclosee, Proprietor does not thereby waive any of its valuable intellectual property rights to keep such subject matter proprietary and confidential, except as specifically defined in any subsequent licensing agreement which may be entered into between the parties. Disclosee agrees to promptly return to Proprietor any material supplied as part of this disclosure upon request of Proprietor.

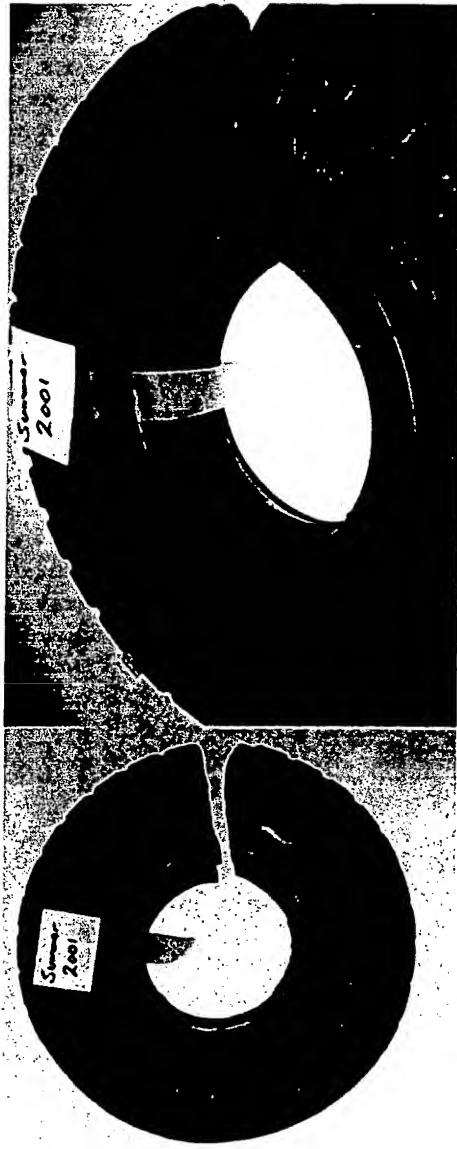
5. The parties hereto agree that the consideration for this Agreement shall be the opening of opportunities for future beneficial relations which may result from this disclosure.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first set forth above.



Huatian Factory  
August 2001

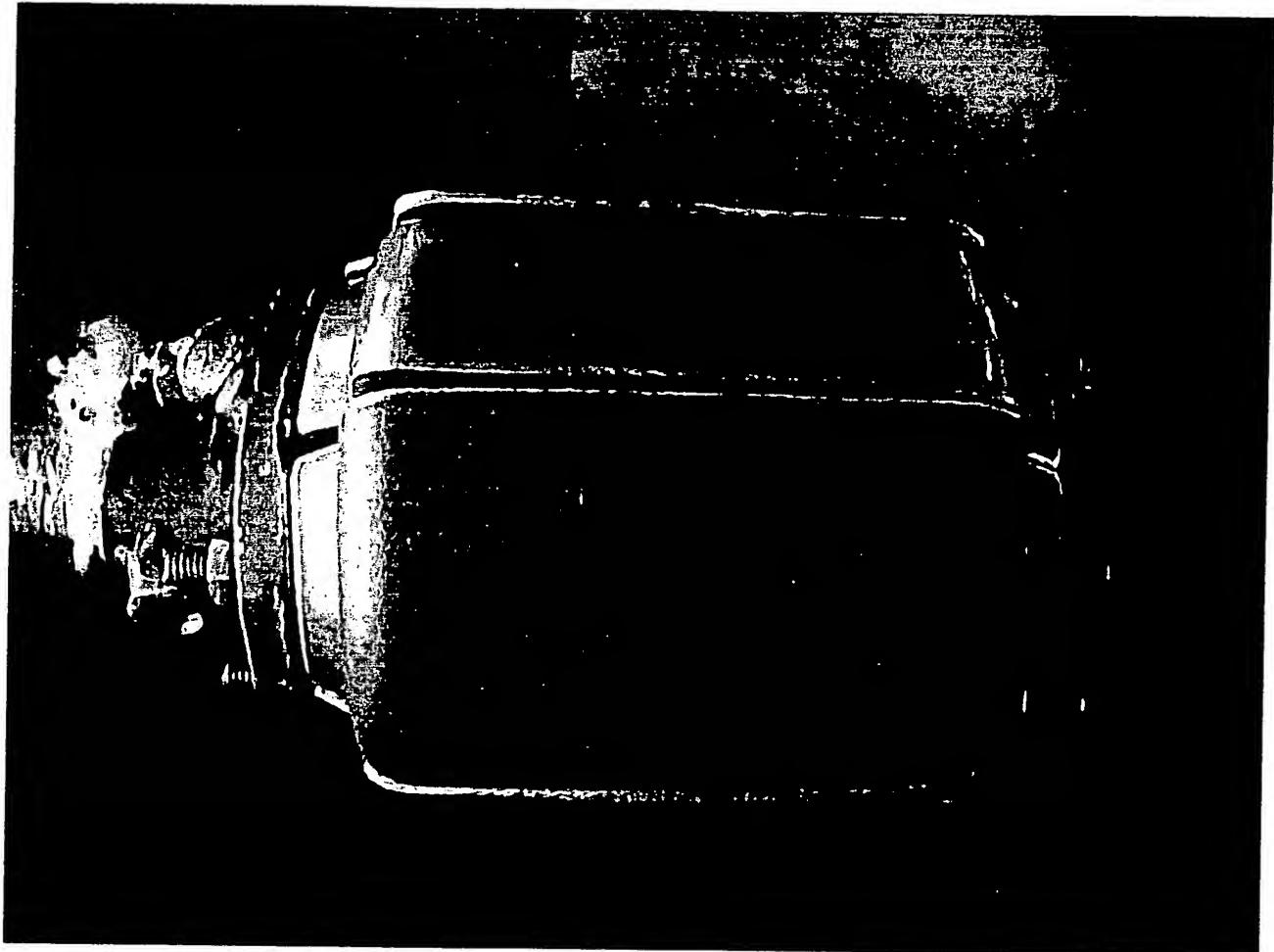
1st tire with no  
metal bead using  
nylon bead



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## **Animal Chew toy – tire configuration Process**

### **1. Prepare the inner mold.**



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Subj: **Re: follow up**  
Date: 9/11/2001 11:23:53 PM Pacific Daylight Time  
From: [eddie@public.qd.sd.cn](mailto:eddie@public.qd.sd.cn) (eddie yung)  
To: [CBDynamo@aol.com](mailto:CBDynamo@aol.com)

Hello Charles,

Pricing

For the 3.5-4 tire at 1000g the price will be:

Black with white letters - \$1.40

Red with white letters - \$1.65

Product Specifications

No bad odor or smell

Non- Toxic

No Metal Bead

Natural Rubber - no recycled rubber

Red color will not turn black or fade in sun

Pepper mint scent

Scenting

We will try your suggestion.

Exclusivity

Huatian will produce this TireBiter Dog Chew toy exclusively for CB Worldwide. I confirm.

Molds

We have arranged to make mold.

We will let you know as soon as we receive your TT\$ for molds.

Regards

Eddie

---- Original Message ----

**From:** [CBDynamo@aol.com](mailto:CBDynamo@aol.com)  
**To:** [eddie@public.qd.sd.cn](mailto:eddie@public.qd.sd.cn)  
**Sent:** Wednesday, September 12, 2001 12:53 PM  
**Subject:** follow up

Hi Eddie:

It was a pleasure meeting you and the Huatian team. Thanks for your hospitality.

I have returned to the US. I would like to confirm the items discussed during our meeting:

Pricing

For the 3.5-4 tire at 1000g the price will be:

Black with white letters - \$1.40

Wednesday, September 12, 2001 America Online: CBDynamo

Red with white letters - \$1.65

Product Specifications

No bad odor or smell  
Non-Toxic  
No Metal Bead  
Natural Rubber - no recycled rubber  
Red color will not turn black or fade in sun  
Pepper mint scent

Scenting

I learned that other rubber pet toy manufacturers wipe/rub the scent with a silicone liquid onto the tire to get a nice shine and scent the rubber.  
Maybe this is a less expensive option then adding the scent to rubber.

Exclusivity

Huatian will produce this TireBiter Dog Chew toy exclusively for CB Worldwide. Please confirm.

Molds

3.5-4 mold will take apprx 20 days and cost \$625.  
Please advise mold status. Please rush since I need samples by end of month for a trade show.

TT\$ for molds will be sent this week. Please confirm receipt.

Hope you are well.

Regards,  
Charles A. Byrne  
President

CB Worldwide Inc  
PO Box 1645  
Mammoth Lakes, CA 93546  
tel. (760)934-8677  
Fax (760) 934-9985

Headers

Return-Path: <eddie@public.qd.sd.cn>  
Received: from rly-xb02.mx.aol.com (rly-xb02.mail.aol.com [172.20.105.103]) by air-xb04.mail.aol.com (v80.17) with ESMTP id MAILINXB42-0912022353; Wed, 12 Sep 2001 02:23:53 -0400  
Received: from qd\_mail3.sd.cninfo.net ([61.156.13.71]) by rly-xb02.mx.aol.com (v80.21) with ESMTP id MAILRELAYINXB22-0912022321; Wed, 12 Sep 2001 02:23:21 -0400  
Received: from oemcomputer ([61.156.89.112]) by qd\_mail3.sd.cninfo.net  
with ESMTP (P=spf) <20010912061619.112@qdmail3.sd.cninfo.net>  
for <CBDynamo@qmail.aol.com> with (1.4.3.5.18 +0800)  
Message-ID: <00000000000000000000000000000000@qdmail3.sd.cninfo.net>  
From: "eddie yung" <eddie@public.qd.sd.cn>  
To: <CBDynamo@aol.com>  
References: <10.124626ef.28d04435@aol.com>  
Subject: Re: follow up  
Date: Wed, 12 Sep 2001 13:48:49 +0800  
MIME-Version: 1.0  
Content-Type: multipart/alternative;  
boundary="----=\_NextPart\_000\_001F\_01C13B91.A6664A8C"  
X-Priority: 3  
X-MSMail-Priority: Normal

Subj: Re: tire sample  
Date: 10/19/2001 1:24:01 AM Pacific Daylight Time  
From: eddieyung16@hotmail.com (eddie yung)  
To: CBDynamo@aol.com

Hi Charles,

1. The white paint on logo is nontoxic paint.
2. We can not improve smell in short time. But we will try.
3. I will prepare 6 more black and 6 red samples for you.
4. We will begin Medium size(2.50-4) after we receive your mould charge \$625. We try small size 6" but we failed. So that we can not supply you 6" now.
5. Price for 8" black is FOB \$1.30, Price for 8" red is FOB \$1.55.
6. You gave the drawing of display rack. We are doing the project.
7. We can use our current tire making technology to make different designs. We can make any shape according to your samples.

Regards  
Eddie

----- Original Message -----

From: CBDynamo@aol.com  
To: eddie@public.qd.sd.cn  
Sent: Friday, October 19, 2001 12:12 PM  
Subject: tire sample

Hi Eddie:

Received sample. It looks good Please confirm that the white paint on logo is nontoxic paint. Also can you improve smell?

Please prepare 6 more black and 6 red samples.

I would like to proceed with the medium and small size TireBiters.

Medium size - 2.5-4 dimension  
Small Size - maybe 500 grams

Please confirm the smallest size tire dimensions so I can prepare artwork. Please confirm small - medium tire size prices. I would like to order 5,000 of each size Tirebiter ASAP. Need by December. Will need a 2nd consignment in January. We also need to make tire display rack. Did I give you drawing? Please RUSH this project.

Can we use your current tire making technology to make different designs? Such as bone design. Ball design. Square design???? What shapes can we make using tire technology???

Hope you are well.

Regards,  
Charles

----- Headers -----

Return-Path: <eddieyung16@hotmail.com>  
Received: from rly-yb03.mail.aol.com (rly-yb03.mail.aol.com [172.18.146.3]) by air-yb02.mail.aol.com (v81.9) with ESMTP id MAILINYB210-1019042401; Fri, 19 Oct 2001 04:24:01 -0400  
Friday, October 19, 2001 America Online CBDynamo

Rubber sheet cut in basic shape to form flyer - sandwich process



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rubber no nylon

rubber with nylon

rubber no nylon

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